

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

In re:) CASE NO: 04-56481
Blythe Jean Judy) Chapter 13
)
)
)
Debtor(s).) Judge Marilyn Shea-Stonum
)
)
MOTION TO MODIFY PLAN
SUBSEQUENT TO ITS CON-
FIRMATION

Now comes the above-captioned debtor, by and through the undersigned counsel, who prays for the entry of an order modifying her chapter 13 plan subsequent to its confirmation so that the debtor's payments into the plan, \$7,251.75, be deemed to satisfy and complete the debtor's obligations under the plan. The debtor states that as shown on the attached Exhibit "A," she has no ability continue to remit payments to the chapter 13 trustee. The debtor further states that each general unsecured creditor who filed herein a timely proof of claim already has been paid at least as much as each such creditor would have received under the plan and that this case has pended for over five (5) years.

WHEREFORE, the debtor prays for the entry of an order finding that the debtor's payments previously made to the chapter 13 trustee be deemed sufficient to satisfy and complete the debtor's chapter 13 plan.

Respectfully Submitted,

/s/ Robert M. Whittington, Jr. 0007851
159 S. Main St., Suite 1023
Akron, OH 44308
330 384 8484
fax 330 384 8953
elkwhitt@neo.rr.com

NOTICE OF HEARING

A hearing on the foregoing motion shall be held on August 19, 2010 at 2 p.m. before the Honorable Marilyn Shea-Stonum, U.S. Bankruptcy Judge, in room 260, Federal Building, 2 S. Main St., Akron, OH 44308.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the debtor's motion and notice of the hearing thereon was sent by ordinary U.S. Mail, postage prepaid, this 30th day of July, 2010 to those parties whose names and complete addresses appear on the attached mailing matrix and by electronic ECF notice to the U.S. Trustee.

/s/ Robert M. Whittington, Jr.

1. The debtor ~~husband~~ presently is (check one box and complete the blanks):

Employed by _____ and earning net take-home wages of \$ _____ every _____.

Unemployed and receiving net unemployment compensation of \$ 101 every week.

Disabled and receiving income of \$ _____ every _____.

Unemployed or disabled and receiving no income or other compensation

Other

(explain) also receives \$600/mo in social security

2. The debtor wife presently is (check one box and complete the blanks):

Employed by _____ and earning net take-home wages of \$ _____ every _____.

Unemployed and receiving net unemployment compensation of \$ _____ every _____.

Disabled and receiving income of \$ _____ every _____.

Unemployed or disabled and receiving no income or compensation.

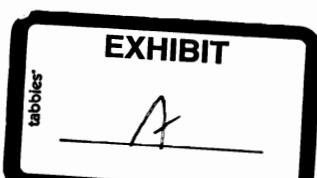
Other

(explain) _____

3. Additionally, the debtors have net monthly income of \$ _____ from these sources: (complete only if you have income other than that already listed)

4. Based on the foregoing, the debtors' attorney calculates that the debtors' net monthly income is (this blank is to be completed by the attorney, only) \$1037.33.

5. The debtors' monthly living expenses are as follows:



<u>550</u>	Rent or mortgage
<u>88</u>	Electricity
<u>113</u>	Heat fuel
<u>-0-</u>	Water and sewer
<u>-0-</u>	Trash removal
<u>65</u>	Cable or satellite television
<u>65</u>	Telephone and internet
<u>300</u>	Food
<u>30</u>	Clothing
<u>50</u>	Laundry and cleaning
<u>20</u>	On-going medical and dental expenses
<u>50</u>	Gasoline and transportation
<u>10</u>	Recreation, clubs, newspapers, magazines, entertainment
<u>10</u>	Charitable contributions
	Homeowners or renters insurance
	Life insurance
	Health insurance
<u>95</u>	Automobile insurance
	Other (specify) _____
	Other (specify) _____
	Other (specify) _____
<u>1446</u>	Total monthly expenses

6. (408.67) Excess or deficit of total monthly income over total monthly expenses.

The undersigned state that the foregoing is true, complete and correct to the best of their knowledge information and belief.

Date: 7/30/10

/s/

X Bryan J. July

Date:

/s/

Label Matrix for local noticing
0647-5
Case 04-56481-mss
Northern District of Ohio
Akron
Fri Jul 30 14:58:27 EDT 2010

US Bankruptcy Court
455 Federal Bldg
2 South Main Street
Akron, OH 44308-1813

Ameriquest Mortgage Company
C/O Buchalter, Nemer, Fields & Younger
18400 Von Karman
Suite 800
Irvine, CA 92612-0514

Argent Mortgage Company, LLC
24755 Chagrin Blvd.
suite 200
Cleveland, OH 44122-5690

AKRON GENERAL MEDICAL CENTER
C/O JOSEPH R HARRISON CO LPA
310 N CLEVELAND MASSILLON RD
AKRON, OH 44333-9302

AMERICAN INC
C/O PATRICK KELLEY
PO BOX 235
MACEDONIA, OH 44056

Akron General Medical Center
400 Wabash Ave.
Akron, OH 44307-2463

American, Inc.
50 E. Highland Rd.
Northfield, OH 44067-2701

Ameriquest Mortgage
1100 Town and Country Road
Orange, CA 92868-4600

Ameriquest Mtg. Co. servicer for Argent Mtg.
P.O. Box 769
Orange, CA 92856-6769
Attn: Debbie Pacheco

Ameritech Consumer Bankruptcy Dept.
nka SBC
P.O. Box 769
Arlington, TX 76004-0769

Argent Mortgage Company, LLC
c/o Buchalter, Nemer, Fields & Younger
18400 Von Karman Avenue
Suite 800
Irvine, CA 92612-0514

Bank One Loan
Servicing
P.O. Box 901008
Fort Worth, TX 76101-2008

Blockbuster c/o
P.O. Box 487
Middletown, OH 45042-0487

Charles Bakula, Esq.
981 Keynote Cir., #2
Cleveland, OH 44131-1842

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Cleveland, OH 44113-1009

Dominion East Ohio
P.O. Box 26785
Richmond, VA 23261-6785

First Energy Solutions
395 Ghent Rd.
Akron, OH 44333-2678

HEARTWOOD 88 LLC
ATTN JOANNE CHIN
PO BOX 5707
FT LAUDERDALE, FL 33310-5707

JP Morgan Chase/Bank One NA
OH1-1188
PO Box 182223
Columbus, OH 43218-2223

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Independence, OH 44131-2335

John Donofrio, Summit Co.
Fiscal Officer
175 S. Main St.
Akron, OH 44308-1355

Milleneum Auto Sales
908 E. Exchange St.
Akron, OH 44306-1151

OHIO EDISON CO
BANKRUPTCY DEPT
6896 MILLER RD RM 204
BRECKSVILLE, OH 44141-3222

Ohio Edison
1910 W. Market St.
Akron, OH 44313-6935

Palisades Collection
210 Sylvan Ave.
Englewood Cliffs, NJ 07632-2524

Robert Laybourne, Esq.
159 S. Main St., #900
Akron, OH 44308-1323

SBC MIDWEST BANKRUPTCY DEPT
P O BOX 769
ARLINGTON, TX 76004-0769

Second National Bank of Warren
108 Main Ave. S.W.
Warren, OH 44481-1058

Summa Health System
525 E. Market St.
Akron, OH 44304-1698

Summit Co. Prosecutor, Tax Division
906 Key Bldg.
Akron, OH 44308

U.S. Bancorp
U.S. Bancorp Center
800 Nicollet Mall
Minneapolis, MN 55402-7000

U.S. Bank
156 S. Main St.
Akron, OH 44308-1309

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

World Financial Network
3195 Barber Road
Norton, OH 44203-1011

Blythe Jean Judy
2010 W Market St #2
Akron, OH 44313-6922

Keith Rucinski
Chapter 13 Trustee
One Cascade Plaza
Suite 2020
Akron, OH 44308-1160

Robert M Whittington Jr
159 S Main St
Key Bldg
#1023
Akron, OH 44308-1318

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

US Bank
PO Box 5229
Cincinnati, OH 45201

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Argent Mortgage Company, LLC

End of Label Matrix	
Mailable recipients	37
Bypassed recipients	1
Total	38